

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

THURMAN MILLER, : Case No. 3:17-cv-414  
Plaintiff, :  
vs. : District Judge Thomas M. Rose  
: Magistrate Judge Sharon L. Ovington  
COMMISSIONER OF THE SOCIAL :  
SECURITY ADMINISTRATION, :  
Defendant. :  
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**DECISION AND ENTRY**

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This social security case is presently before the Court on the parties' Joint Motion to Remand. (Doc. #10). The parties stipulate and petition this Court to order remand of this case for further administrative proceedings pursuant to Sentence Four of Section 205 of the Social Security Act, 42 U.S.C. § 405(g), and to enter judgment pursuant to Federal Rule of Civil Procedure 58.

Upon remand, the Appeals Council will vacate all findings in the Administrative Law Judge's decision. The Commissioner will conduct further proceedings and develop the administrative record as necessary to determine whether Plaintiff is disabled within the meaning of the Social Security Act, including offering Plaintiff a new hearing before an Administrative Law Judge, and then issuing a new decision. As part of said proceedings, the opinion evidence of record will be reweighed under the applicable regulations and rulings.

**IT IS THEREFORE ORDERED THAT:**

1. The parties' Joint Motion to Remand (Doc. #10) is **ACCEPTED**;
2. The Clerk of Court is directed to enter Judgment in Plaintiff's favor under Fed. R. Civ. P. 58;
3. This matter is **REMANDED** to the Social Security Administration, pursuant to sentence four of 42 U.S.C. § 405(g), for further consideration consistent with this Decision and Entry and the parties' stipulation; and
4. The case is terminated on the docket of this Court.

**IT IS SO ORDERED.**

Date: June 25, 2018

*\*s/Thomas M. Rose*  
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Thomas M. Rose  
United States District Judge